

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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CHARLES T. MCINTOSH

Plaintiff,

v.

Case No. 09-C-1106

CAPTAIN JADIN, et al.

Defendants.

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**ORDER DENYING MOTION TO RECUSE**

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Pro se prisoner Charles T. McIntosh seeks leave to file a 1983 civil rights action against officers and employees of the Brown County Jail, presumably for injuries he sustained there while awaiting disposition of his federal criminal case. He has since been convicted and is currently serving a federal sentence in a federal prison. Pursuant to the Prisoner Litigation Reform Act, McIntosh has been ordered to submit a certified copy of his prison trust account statement within twenty-one days so that an initial partial filing fee can be calculated.

McIntosh has now filed motions to disqualify me and requesting that I recuse myself from further involvement with this action. He contends that because I ruled against him in various post-conviction motions in his criminal case, I cannot be impartial in his current case.

The motion will be denied. The mere fact that I presided over McIntosh's criminal case does not constitute grounds for disqualification or recusal. McIntosh cites nothing in the record of that case that would warrant recusal.

Accordingly, the motion is DENIED and McIntosh must file the trust account statement within the time ordered.

SO ORDERED this 28th day of December, 2009.

s/William C. Griesbach  
William C. Griesbach  
United States District Judge